

**RECOMMENDING COMMITTEE AGENDA**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 18, 2005**

**- CALL TO ORDER**

**MINUTES:**

PRESENT: COUNCILWOMAN MONCRIEF and COUNCILMAN WOLFSON

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

**- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW**

**MINUTES:**

ANNOUNCEMENT MADE - meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:05)

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

NEW BILL:

Bill No. 2005-1 - Annexation No. ANX-5329 – Property location: On the southeast corner of Jones Boulevard and Madre Mesa Drive; Petitioned by: S. F. Investments, LLC; Acreage: 2.42 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact:**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southeast corner of Jones Boulevard and Madre Mesa Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 11, 2005) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2005-1 and Location Map
2. Protest letter and petition opposing annexation and subsequent Planning applications from Arlon and Suzan Sibert
3. Submitted after final agenda: additional signatures for protest petition

**MOTION:**

**COUNCILWOMAN MONCRIEF recommended Bill 2005-1 be forwarded to the Full Council with no recommendation. COUNCILMAN WOLFSON concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated that this is a standard annexation. Even though a petition in opposition was submitted, it applies to the intended development for the property being annexed. The annexation property will come in with the current zoning.

CHIEF DEPUTY CITY ATTORNEY STEED clarified for COUNCILWOMAN MONCRIEF that this request is to annex 2.42 acres into the City. The property is zoned R-E in the County and will come in at the equivalent zoning for the City. The petition signatures in opposition have nothing to do with the annexation.

ARLON SIBERT, 5980 W. Alfred Drive, representing the residents of Hillcrest Manor, expressed opposition to this annexation because of the intended development.

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**MINUTES - Continued:**

COUNCILMAN WOLFSON confirmed with CHIEF DEPUTY CITY ATTORNEY STEED that the only issue before the Recommending Committee was the annexation and that the City Council would have ultimate discretion up or down. CHIEF DEPUTY CITY ATTORNEY STEED indicated that the cover letter to the petition in opposition includes the annexation and other zoning matters, which appears as if the applicant combined a number of steps. However, the annexation is separate and does not include any plans.

MR. SIBERT reiterated that the petitioners are also opposed to the annexation. COUNCILWOMAN MONCRIEF opted to forward this matter to the Council with no recommendation.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:05 - 4:11)

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

**NEW BILL:**

Bill No. 2005-2 - Eliminates the term limits applicable to voting members of the Historic Preservation Commission. Sponsored by: Mayor Oscar B. Goodman

**Fiscal Impact:**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Membership on the Historic Preservation Commission is currently limited to two terms for voting members. This bill would eliminate that limitation.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2005-2

**MOTION:**

**COUNCILMAN WOLFSON recommended Bill 2005-2 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED said that currently the voting members of the Historic Preservation Commission can serve two terms. The Mayor would like to change that in order to retain those members that have expertise.

COUNCILWOMAN MONCRIEF verified with CHIEF DEPUTY CITY ATTORNEY STEED that there are specific guidelines on who can serve and that the terms are not permanent. CHIEF DEPUTY CITY ATTORNEY STEED added that the members could be reappointed.

No one appeared in opposition.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:11 - 4:12)

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

NEW BILL:

Bill No. 2005-3 - Modifies the disclosure requirements for merchants who sell motorized skateboards or motorized scooters, and requires merchants to make certain disclosures in connection with the sale of mini-motorcycles. Sponsored by: Councilman Michael Mack

**Fiscal Impact:**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Merchants who sell motorized skateboards or motorized scooters are currently required to make certain disclosures regarding the use of these vehicles. This bill will clarify the requirements, and impose similar requirements on the sale of mini-motorcycles.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2005-3

**MOTION:**

**COUNCILMAN WOLFSON recommended Bill 2005-3 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED reported that last year the City Council adopted an ordinance requiring motorized scooter vendors to disclose to buyers the requirements for motorized scooters. This resulted in confusion for merchants about the requirements. This bill is more specific about the content of the disclosures, and it adds mini-motorcycles, which are also referred to as pocket bikes. This bill does not attempt to set forth all requirements and limitations but puts the buyers on notice that they need to find out the provisions of State law for operating these types of vehicles.

No one appeared in opposition.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:12 - 4:14)

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

NEW BILL:

Bill No. 2005-4 - Repeals the Municipal Code provision that requires persons who hold certain City offices to submit a resignation before filing for election to another City office. Proposed by: Bradford R. Jerbic, City Attorney

**Fiscal Impact:**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The Municipal Code currently provides that no elected City official or official serving as an appointee on a City board is eligible to file for election to any other City office without first having submitted a resignation from his or her current position with the City. This bill will repeal that provision in order to be consistent with a recent decision by the Nevada Supreme Court regarding that issue.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2005-4

**MOTION:**

**COUNCILMAN WOLFSON recommended Bill 2005-4 be forwarded to the Full Council with no recommendation. COUNCILWOMAN MONCRIEF concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED explained that a number of years ago the Council adopted the requirement that elected City officials or those sitting on appointed boards could not file for another City office without first resigning from his/her current position. This bill repeals that requirement. He pointed out that a similar provision adopted by initiative in the City of Mesquite was held to be in conflict with State law by the Nevada Supreme Court. State legislators are the only ones permitted by State law to set limits on terms for elected officials.

After confirming with CHIEF DEPUTY CITY ATTORNEY STEED that this bill is in conformance with the Nevada Supreme Court decision, COUNCILMAN WOLFSON announced that he did not feel comfortable taking a position in this matter, because it could affect people seeking to run against him in his bid for re-election. Therefore, he decided not to speak further on this matter. COUNCILWOMAN MONCRIEF suggested forwarding this matter to the Council without a recommendation.

No one appeared in opposition.

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**MINUTES - Continued:**

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:14 - 4:17)

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

**NEW BILL:**

Bill No. 2005-5 - Levies Assessment for Special Improvement District No. 1478 - Vegas Drive (Rancho Drive to I-15) Sponsored by: Step Requirement

**Fiscal Impact:**

☐

**No Impact**

**Amount:**

\$176,765.66

☒

**Budget Funds Available**

**Dept./Division:**

Public Works/SID

☐

**Augmentation Required**

**Funding Source:**

Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Levies the assessment for the installation of pavement, curb and gutter, sidewalks, driveway approaches, water laterals, sewer laterals, and streetlights. The assessments will be paid over a 10-year period.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2005-5

**MOTION:**

**COUNCILMAN WOLFSON recommended Bill 2005-5 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILWOMAN MONCRIEF concurred.**

**MINUTES:**

COUNCILWOMAN MONCRIEF declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED commented that this bill involves a standard Special Improvement District.

TIM McDANIEL, Special Improvement District Section, said the SID is in order and there are no objections.

No one appeared in opposition.

COUNCILWOMAN MONCRIEF declared the Public Hearing closed.

(4:17)

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CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

**MINUTES:**

None.

(4:17)

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THE MEETING ADJOURNED AT 4:17 P.M.

Respectfully submitted:

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GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK  
January 21, 2005